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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	No. CR-10-00488-PJH
)	
Plaintiff,)	STIPULATION AND ORDER TO
)	CONTINUE STATUS CONFERENCE
v.)	AND EXCLUDE TIME UNDER THE
)	SPEEDY TRIAL ACT
JAMES DALE BROWN,)	
)	
Defendant.)	
_____)	

IT IS HEREBY STIPULATED AND AGREED between the plaintiff through its attorney, Joshua Hill, and the defendant through his attorney, Robert Beles, that the status hearing presently set for January 12, 2011, be continued to February 2, 2011 at 2:30 p.m. before the Honorable Phyllis J. Hamilton for change of plea. Defense counsel requires additional time to review the discovery, conduct any necessary investigation, and confer with the defendant regarding the terms of a possible plea agreement. The parties agree that the delay is not attributable to lack of diligent preparation on the part of the attorney for the government or defense counsel. For these reasons, the parties request that time under the Speedy Trial Act be excluded based on the defense's need for reasonable time necessary for effective preparation, taking into account the exercise of due diligence. The parties agree that the waiver covers all

STIP AND ORDER TO EXCLUDE TIME
No. CR-10-0488-PJH

1 time between the date of this stipulation and February 2, 2011.

2
3 IT IS SO STIPULATED:

4 Dated: January 5, 2011

/S/
ROBERT J. BELES
Attorney for Defendant

6
7 Dated: January 5, 2011

/S/
JOSHUA HILL
Assistant United States Attorney

8
9
10 **ORDER**

11 GOOD CAUSE HAVING BEEN SHOWN, it is hereby ordered that the hearing in this
12 matter now scheduled for January 12, 2011 is hereby rescheduled for February 2, 2011 at 2:30
13 p.m. before the Honorable Phyllis J. Hamilton for change of plea. Based upon the representation
14 of counsel and for good cause shown, the Court also finds that failing to exclude the time
15 between January 5, 2011 and February 2, 2011 would unreasonably deny the defense the
16 reasonable time necessary for effective preparation, taking into account the exercise of due
17 diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served
18 by excluding the time between January 5, 2011 and February 2, 2011 from computation under
19 the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial.
20 Therefore, it is hereby ordered that the time between January 5, 2011 and February 2, 2011 shall
21 be excluded from computation under the Speedy Trial Act. 18 U.S.C. §§ 3161(h)(7)(A) and
22 (B)(iv).

23
24 DATED: January 5, 2011



HONORABLE DONNA M. RYU
United States Magistrate Court Judge